

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re DIREXION SHARES ETF TRUST

Civil Action No. 1:09-CV-08011-KBF

**NOTICE OF PLAINTIFFS' UNOPPOSED MOTION FOR
AWARD OF ATTORNEYS' FEES, REIMBURSEMENT OF
LITIGATION EXPENSES, AND REIMBURSEMENT AWARDS**

TO: All Counsel of Record

PLEASE TAKE NOTICE that pursuant to Federal Rule of Civil Procedure 23(e) and 23(h) and this Court's Order dated February 8, 2013 granting preliminary approval of the proposed settlement and providing for notice, and upon the Joint Declaration in Support of (I) Plaintiffs' Unopposed Motion for Final Approval of Settlement and (II) Plaintiffs' Unopposed Motion for Award of Attorneys' Fees, Reimbursement of Litigation Expenses, and Reimbursement Awards; the Memorandum of Law in Support of Plaintiffs' Unopposed Motion for Award of Attorneys' Fees, Reimbursement of Litigation Expenses, and Reimbursement Awards; the Memorandum of Law in Support of Motion for Final Approval of Proposed Class Action Settlement and Approval of Plan of Allocation; and all other papers and proceedings herein, Lead Counsel will and do hereby move this Court on May 10, 2013, at 2:00 p.m. in the Courtroom of the Honorable Katherine B. Forrest, United States District Court Judge for the Southern District of New York, Courtroom 15A, 500 Pearl Street, New York, NY 10007, or other such location and time as set by the Court, for entry of a Judgment awarding attorneys' fees and reimbursement of litigation expenses to Lead Counsel, plus any accrued interest, and awarding reimbursement awards to Plaintiffs. A [Proposed] Final Judgment and Order of Dismissal with Prejudice is attached hereto.

Dated: April 5, 2013

/s/William B. Federman
William B. Federman
wbf@federmanlaw.com
Stuart Emmons
swe@federmanlaw.com
10205 N. Pennsylvania Avenue
Oklahoma City, OK 73120
Phone: (405) 235-1560
Fax: (405) 239-2112

*Lead Counsel for the FAZ Plaintiffs
and the Class*

Mark C. Rifkin
rifkin@whafh.com
Maja Lukic
lukic@whafh.com
WOLF HALDENSTEIN ADLER
FREEMAN & HERZ LLP
270 Madison Avenue
New York, NY 10016
Phone: (212) 545-4600
Fax: (212) 545-4653

Kenneth G. Gilman
kgilman@gilmanpastor.com
GILMAN AND PASTOR, LLP
Beachway Professional Center Tower
3301 Bonita Beach Road, Suite 307
Bonita Springs, FL 34134
Phone: (239) 221-8301
Fax: (239) 676-8224

*Co-Lead Counsel for the ERY
Plaintiffs and the Class*

CERTIFICATE OF SERVICE

I hereby certify that foregoing was filed through the ECF system on Friday, April 05,
2013.

/s/ William B. Federman
William B. Federman